IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISCELLANEOUS APPLICATION NO. 134 OF 2006

M/s Venus Steel Products,
Raia, Salcete, Goa. ... Applicant

versus

Shri Michael Francis Pinheiro
(since dec.) through his widow,
Helen Pinheiro, Margao-Goa. ... Respondent

In person.

Mr. D. Pangam, Advocate for the Respondent.

CORAM : N. A. BRITTO, J.

DATE : 23RD FEBRUARY, 2006.

P.C.:-

Heard the applicant in person and Mr. D. Pangam, the learned Counsel on behalf of the respondent.

2. The applicant herein was convicted under Section 138 of the Negotiable Instruments Act, 1881 and was ordered to pay compensation of Rs.2,44,000/- by the trial Court by Judgment/Order dated 21-6-2002. The appellate Court reduced

the said compensation to Rs.10,000/- vide Judgment/Order dated 17-1-2003. As per Order of this Court dated 24-4-2003 the applicant/accused was required to deposit the said sum of Rs.10,000/- and in case the same was deposited it was ordered to be invested in fixed deposit of any Nationalised Bank initially for a period of one year and thereafter for a life period of one year each. The applicant has no objection in case the said amount is ordered to be paid to the widow of the deceased respondent.

3. In view of the above, the said sum of Rs.10,000/- with accrued interest shall be paid to the widow of the deceased respondent/complainant by name Smt. Helen Pinheiro. There is, therefore, no question of the said amount being returned to the applicant/accused.

4. Criminal Miscellaneous Application No.134/2006 is accordingly disposed of.

N. A. BRITTO, J.

RD